



## MEMORANDUM

TC

Agenda Item No. 3(I)

TO: Hon. Chairperson Barbara Carey-Shuler, Ed.D.  
and Members, Board of County Commissioners

DATE: October 16, 2003

FROM: George M. Burgess  
County Manager

A handwritten signature in black ink, appearing to read "G. Burgess", is written over the printed name of George M. Burgess.

SUBJECT: Resolution approving Fourth  
Amendment to the General  
Aeronautical Services Permits at  
Miami International Airport  
("MIA")

### RECOMMENDATION

The attached Fourth Amendment to the permits between Miami-Dade County and the firms of American Sales & Management Corporation, ASIG Miami, Evergreen Aviation Ground Logistics Enterprises, Swissport USA, and Worldwide Flight Services have been prepared by the Miami-Dade Aviation Department (MDAD) and are recommended for approval by the Board.

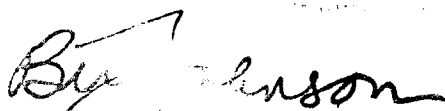
### BACKGROUND

Currently, there are five permittees operating at MIA under permits, which became effective November 1, 1992 for a five-year period. Subsequently, the Board extended the permits for five years for the period November 1, 1997 – October 31, 2002. During the July 23, 2002 Board of County Commissioners meeting, the previous County Manager had recommended that the Board approve a resolution that would have (i) authorized the advertisement of bids for up to five (5) general aeronautical services permits at MIA to become effective November 1, 2002 for a five (5) year period with the Miami-Dade Aviation Department authorized to extend the permits for up to five years in incremental terms of one year, and (ii) approved a Local Developing Business Program ("LDB") and delegated to the County Manager the authority to approve the LDB contract measures for the general aeronautical services permits. During its meeting and after discussion, by a motion duly made, seconded and carried, the Board deferred the above proposed resolution for a period of 12 months. For this reason and considering that the existing permits were to expire October 31, 2002, by its adoption of Resolution No. R-1126-02, which was prepared and placed on the October 8, 2002 Board agenda at the request of Commissioner Jose "Pepe" Cancio, Sr., the Board extended the term of these permits for a period of twelve (12) months. In addition, this resolution directed the County Manager to prepare a Request for Proposals instead of advertising an Invitation to Bid for these permits. Furthermore, during its meeting of November 19, 2002, the Board approved the Local Developing Business Program for general aeronautical service permits by its adoption of Resolution No. R-1302-02.

In accordance with Section 2-8.9 of the Miami-Dade County Code, these existing general aeronautical services are subject to the Living Wage Ordinance. The procurement process for these services had been delayed, however, because it was not readily known how the impact of the statewide living wage preemption law, which was adopted June 2003, would impact this procurement.

The Aviation Department has since been advised that the state preemption law does not abolish the living wage requirements of Miami-Dade County and any solicitation issued for these services should include these provisions. The Aviation Department is now preparing to issue a Request for Proposal this month. In the meantime, however, in that the existing permits are to expire October 31, 2003, these amendments are required in order to initiate and complete the selection process and to allow the incoming providers an adequate transition period.

The extension for the twelve-month period provided in the proposed Fourth Amendment is in incremental periods of one-month in the event the award of the permits is presented to the Board of County Commissioners for approval at an earlier time. It is therefore recommended as being in the best interest of the County that the Board approves the attached Fourth Amendment that will allow the Department to maintain service until such time as the Board can consider the award of the new permits.



---

Assistant County Manager

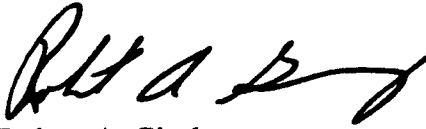


# MEMORANDUM

(Revised)

**TO:** Hon. Chairperson Barbara Carey-Shuler, Ed.D.  
and Members, Board of County Commissioners

**DATE:** November 4, 2003

**FROM:**   
Robert A. Ginsburg  
County Attorney

**SUBJECT:** Agenda Item No.

Please note any items checked.

- ☐ "4-Day Rule" ("3-Day Rule" for committees) applicable if raised
- ☐ 6 weeks required between first reading and public hearing
- ☐ 4 weeks notification to municipal officials required prior to public hearing
- ☐ Decreases revenues or increases expenditures without balancing budget
- ☐ Budget required
- ☐ Statement of fiscal impact required
- ☐ Bid waiver requiring County Manager's written recommendation
- ☐ Ordinance creating a new board requires detailed County Manager's report for public hearing
- ☐ Housekeeping item (no policy decision required)
- ☐ No committee review

Approved \_\_\_\_\_ Mayor  
Veto \_\_\_\_\_  
Override \_\_\_\_\_

Agenda Item No.  
11-4-03

RESOLUTION NO. \_\_\_\_\_

RESOLUTION APPROVING FOURTH AMENDMENTS TO THE NON-EXCLUSIVE GENERAL AERONAUTICAL SERVICES PERMIT AT MIAMI INTERNATIONAL AIRPORT BETWEEN THE COUNTY AND WORLDWIDE FLIGHT SERVICES, INC., ASIG MIAMI, INC., SWISSPORT USA, INC., EVERGREEN AVIATION GROUND LOGISTICS ENTERPRISES, INC., AND AMERICAN SALES & MANAGEMENT ORGANIZATION, CORP., RESPECTIVELY AND AUTHORIZING COUNTY MANAGER OR DESIGNEE TO EXECUTE THE AMENDMENTS AND EXERCISE ANY RENEWAL AND CANCELLATION PROVISIONS THEREIN

**WHEREAS**, the existing Nonexclusive General Aeronautical Services Permits, as amended, between Miami-Dade County and Worldwide Flight Services, Inc., Swissport USA, Inc., American Sales & Management Organization Corp., ASIG Miami, Inc., and Evergreen Aviation Ground Logistics Enterprises, Inc., respectively, (the "Permits") expire on October 31, 2003; and

**WHEREAS**, the parties hereto wish to extend the term of the Permits on a month to month basis for up to twelve (12) months,

**NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF MIAMI-DADE COUNTY, FLORIDA**, that this Board hereby approves the terms of the Fourth Amendment to Non-Exclusive General Aeronautical Services Permit between Miami-Dade County and Worldwide Flight Services, Inc., Swissport USA, Inc., American Sales & Management Organization Corp., ASIG Miami, Inc., and Evergreen Aviation Ground Logistics Enterprises, Inc., respectively, in substantially the form of one of the Fourth Amendments attached hereto, said Fourth Amendments extending the term of the Permits month

to month for a period beginning November 1, 2003; and this Board authorizes the County Manager or his designee to execute the Fourth Amendment to the Permits and to exercise these monthly renewals and any cancellation provisions therein.

The foregoing resolution was offered by \_\_\_\_\_, who moved its adoption. The motion was seconded by Commissioner \_\_\_\_\_ and upon being put to a vote, the vote was as follows:

Dr. Barbara Carey-Shuler, Chairperson

Katy Sorenson, Vice-Chairperson

Bruno A. Barreiro

Betty T. Ferguson

Joe A. Martinez

Dennis C. Moss

Natacha Seijas

Sen. Javier D. Souto

Jose "Pepe" Diaz

Sally A. Heyman

Jimmy L. Morales

Dorrian D. Rolle

Rebeca Sosa

The Chairperson thereupon declared the resolution duly passed and adopted this 4<sup>th</sup> day of November, 2003. This resolution shall become effective ten (10) days after the date of its adoption unless vetoed by the Mayor, and if vetoed, shall become effective only upon an override by this Board.

MIAMI-DADE COUNTY, FLORIDA  
BY ITS BOARD OF  
COUNTY COMMISSIONERS

HARVEY RUVIN, CLERK

By: \_\_\_\_\_  
Deputy Clerk

Approved by County Attorney as  
to form and legal sufficiency.

GBK

Geri Bonzon-Keenan

FOURTH AMENDMENT TO THE  
NONEXCLUSIVE GENERAL AERONAUTICAL SERVICES PERMIT  
WITH WORLDWIDE FLIGHT SERVICES, INC.  
AT THE MIAMI INTERNATIONAL AIRPORT

THIS FOURTH AMENDMENT, entered into this \_\_\_\_\_ day of \_\_\_\_\_, 2003, by and between Miami-Dade County, a political subdivision of the State of Florida, hereinafter referred to as the "County", and Worldwide Flight Services, Inc., hereinafter referred to as the "Permittee".

WITNESSETH:

WHEREAS, by its own terms the existing nonexclusive general aeronautical services permit ("GASP") expires on October 31, 2003; and

WHEREAS, the parties hereto wish to extend the term of the Permit for a period of up to twelve (12) months.

NOW, THEREFORE, in consideration of the premises contained herein, the parties hereto agree as follows:

1. In Article 1, subarticle 1.02, entitled "Extension":

Delete: The County hereby extends this Agreement beyond the term of November 1, 1997 to October 31, 2002, as provided in the Second Amendment hereto, for twelve (12) months to October 31, 2003, unless terminated for default if a year end review determines that the Permittee has failed to meet or to demonstrate good faith efforts towards meeting the DBE goals set forth in Article 7.04 during the year under review.

Substitute: The County hereby extends this Agreement beyond the term of November 1, 1997 to October 31, 2003, as provided in the Third Amendment hereto, for up to twelve (12) separate terms of one (1) month each to October 31, 2004, cancelable by either party without cause upon thirty (30) calendar days notice in writing to the other party.

2. Article 7, subarticle 7.04 titled "Extension Period Goals", is amended and restated as follows:

As part of the consideration for the extension of the Agreement, the Permittee shall meet or make a good faith effort to attain DBE participation goals set forth below for each year of the extension pursuant to Article 1.02 as follows:

<u>YEAR</u>	<u>GOAL</u>
November 1, 1997 – October 31, 1998	12%
November 1, 1998 – October 31, 1999	14%
November 1, 1999 – October 31, 2000	16%
November 1, 2000 – October 31, 2001	18%
November 1, 2001 – October 31, 2002	20%
November 1, 2002 – October 31, 2003	20%

November 1, 2003 – October 31, 2004

20%

The Permittee shall, at a minimum, attain a 10% participation goal through the current procedure including subcontracting with DBE's pursuant to Article 7.03. The Permittee may meet the participation percentages above 10% through purchase of goods and services from DBE firms. The costs of such purchases will be reported separately on the monthly statement required pursuant to Article 3.10.

3. In all other respects, the Permit shall remain in full force and effect in accordance with the terms and conditions specified therein.
4. This Amendment shall become effective as of the date first written above.

IN WITNESS WHEREOF, the parties hereto have caused this Fourth Amendment to the Permit to be executed by their respective and duly authorized officers, as of the day and year first above written.

ATTEST:

MIAMI-DADE COUNTY, FLORIDA a political  
subdivision of the State of Florida

HARVEY RUVIN, CLERK

BY ITS BOARD OF COUNTY COMMISSIONERS

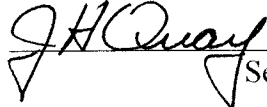
By: \_\_\_\_\_  
Deputy Clerk

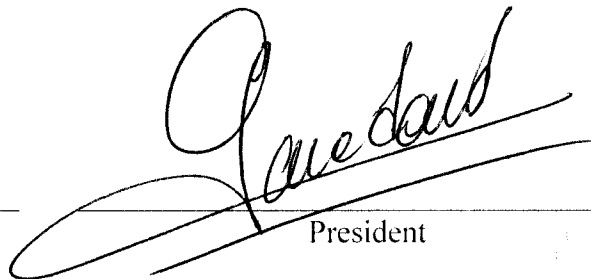
By: \_\_\_\_\_  
County Manager

(Miami-Dade County Seal)

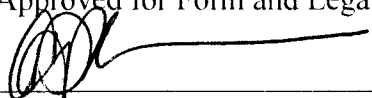
ATTEST:

WORLDWIDE FLIGHT SERVICES, INC.

By:  \_\_\_\_\_  
Secretary

 \_\_\_\_\_  
President  
(CORPORATE SEAL)

Approved for Form and Legal Sufficiency

By:  \_\_\_\_\_  
Assistant County Attorney

**MIAMI-DADE COUNTY**

**MIAMI-DADE AVIATION DEPARTMENT SINGLE EXECUTION  
AFFIDAVITS**

**(Submittal with Proposal Required)**

This sworn statement is submitted with the Proposal/Bid for:

Project Title: \_\_\_\_\_

Project Number \_\_\_\_\_

COUNTY OF DALLAS

STATE OF TEXAS

Before me the undersigned authority appeared, Jean-Francois Guedard (Print Name)  
who is personally known to me or who has provided \_\_\_\_\_

as identification and who did (did not) take an oath, and who stated:

That he is the duly authorized representative of

Worldwide Flight Services, Inc.  
(Name of Proposer/Bidder)

1925 W. John Carpenter Fwy, Suite 450, Irving, TX 75063  
(Address of Proposer/Bidder)

hereinafter referred to as the contracting entity being its

President & Chief Executive Officer  
(Sole Proprietor)(Partner)(President or Other Authorized Officer)

and as such has full authority to make these three affidavits and say as follows.



**AFFIDAVIT NO. 1**  
**SWORN STATEMENT UNDER SECTION 287.133(3)(a),**  
**FLORIDA STATUTES, ON PUBLIC ENTITY CRIMES**

1. I understand that a "public entity crime" as defined in Paragraph 287.133(1) (g). **Florida Statutes**, means a violation of any state or federal law by a person with respect to and directly related to the transaction of business with any public entity or with an agency or political subdivision of any other state or with the United States, including, but not limited to, any bid or contract for goods or services to be provided to any public entity or an agency or political subdivision of any other state or of the United States and involving antitrust, fraud, theft, bribery, collusion, racketeering, conspiracy, or material misrepresentation.

2. I understand that "convicted" or "conviction" as defined in Paragraph 287.133 (1)(b). **Florida Statutes**, means a finding of guilt or a conviction of a public entity crime, with or without an adjudication of guilt, in any federal or state trial court of record relating to charges brought by indictment or information after July 1, 1989, as a result of a jury verdict, nonjury trial, or entry of a plea of guilty or nolo contendere.

3. I understand that an "affiliate" as defined in Paragraph 287.133(1)(a). **Florida Statutes**, means:

- 1 A predecessor or successor of a person convicted of a public entity crime: or
2. An entity under the control of any natural person who is active in the management of the entity and who has been convicted of a public entity crime. The term "affiliate" includes those officers, directors, executives, partners, shareholders, employees, members, and agents who are active in the management of an affiliate. The ownership by one person of shares constituting a controlling interest in another person, or a pooling of equipment or income among persons when not for fair market value under an arm's length agreement, shall be a prima facie case that one person controls another person. A person who knowingly enters into a joint venture with a person who has been convicted of a public entity crime in Florida during the preceding 36 months shall be considered an affiliate.

4. I understand that a "person" as defined in Paragraph 287.133(1)(e). **Florida Statutes**, means any natural person or entity organized under the laws of any state or of the United States with the legal power to enter into a binding contract and which bids or applies to bid on contracts for the provision of goods or services let by a public entity, or which otherwise transacts or applies to transact business with a public entity. The term "person" includes those officers, directors, executives, partners, shareholders, employees, members and agents who are active in management of an entity.

5. Based on information and belief, the statement which I have marked below is true in relation to the entity submitting this sworn statement. **[Please indicate which statement applies.]**

X Neither the entity submitting this sworn statement, nor any officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, nor any affiliate of the entity have been charged with and convicted of a public entity crime subsequent to July 1, 1989.

\_\_\_\_\_The entity submitting this sworn statement, or one or more of the officers, directors, executives, partners, shareholders, employees, members, or agents who are active in management of the entity, or an affiliate of the entity has been charged with and convicted of a public entity crime subsequent to July 1, 1989, **AND** **[Please indicate which additional statement applies.]**

**SWORN STATEMENT UNDER SECTION 287.133(3)(a),  
FLORIDA STATUTES, ON PUBLIC ENTITY CRIMES (Cont'd)**

\_\_\_\_\_ There has been a proceeding concerning the conviction before a hearing officer of the State of Florida, Division of Administrative Hearings. The final order entered by the hearing officer did not place the person or affiliate on the convicted vendor list. **[Please attach a copy of the final order.]**

\_\_\_\_\_ The person or affiliate was placed on the convicted vendor list. There has been a subsequent proceeding before a hearing officer of the State of Florida, Division of Administrative Hearings. The final order entered by the hearing officer determined that it was in the public interest to remove the person or affiliate from the convicted vendor list. **[Please attach a copy of the final order.]**

\_\_\_\_\_ The person or affiliate has not been placed on convicted vendor list. **[Please describe any action taken by or pending with the Florida Department of General Services.]**

---

**AFFIDAVIT NO. 2**

**MIAMI-DADE COUNTY DEBARMENT DISCLOSURE AFFIDAVIT  
PURSUANT TO ORDINANCE 93-129**

Bidder or his agents, officers, principals, stockholders, subcontractors or their affiliates are not debarred by Miami- Dade County.

**AFFIDAVIT NO. 3  
CRIMINAL RECORD AFFIDAVIT**

Above named proposer/bidder, as of the date of proposal/bid submission:

X has not been convicted of a felony during the past ten (10) years, nor does it, as of the date of bid submission, have an officer, director or executive who has been convicted of a felony during the past ten (10) years.

\_\_\_\_\_ has been convicted of a felony during the past ten (10) years, or as of the date of bid submission, has an officer, director or executive who has been convicted of a felony during the past ten (10) years.

**This single execution shall have the same force and effect as if each of the above three affidavits had been individually executed.**

  
\_\_\_\_\_  
(Signature of Authorized Representative)

Title President & CEO

Date 9-9-03

STATE OF: Texas

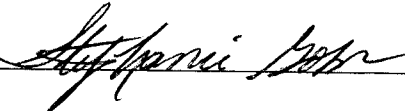
COUNTY OF: Dallas

The following instrument was acknowledged before me this 9th day of September, 2003

by Jean-Francois Guedard  
(Authorized Representative)

of Worldwide Flight Services, Inc.  
(Name of Corporation, Partnership, etc.)

who is personally known to me or has produced as \_\_\_\_\_ identification and who did/did not take an oath.

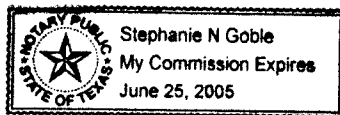
(Signature of Notary) 

(Print Name) Stephanie Goble

Notary Commission Number: \_\_\_\_\_

My Commission Expires: 6-25-2005

Notary Stamp or Seal:



AFFIDAVIT NO. 4

CURRENT IN OBLIGATIONS TO THE COUNTY AFFIDAVIT

Project No.: \_\_\_\_\_ Date: \_\_\_\_\_

Project Title: \_\_\_\_\_

STATE OF <sup>TEXAS</sup> FLORIDA)

COUNTY OF <sup>Dallas</sup> MIAMI-DADE) SS

Before me, the undersigned authority, authorized to administer oaths and take acknowledgments, personally appeared: Jean-Francois Govedard after being first dully sworn, upon oath deposes and says that he is an authorized representative of:

Worldwide Flight Services, Inc.

(Legal name, Corporation, Partnership, Firm, Individual)

(hereinafter called Bidder) located at 1925 W. John Carpenter Fwy, STE 450, Irving, TX  
(address, city, state) 75063

Above named Bidder verifies that the individual or entity is current in its obligations to the County and is not otherwise in default of any County contract.

Witness:

[Signature]  
(Signature)

By

[Signature]  
(Signature)

Witness:

[Signature]  
(Signature)

Jean-Francois Govedard  
President & CEO  
(Legal Name and Title)

The foregoing instrument was acknowledged before me this 9<sup>th</sup> day of September 2003

FOR AN INDIVIDUAL ACTING IN HIS OWN RIGHT:

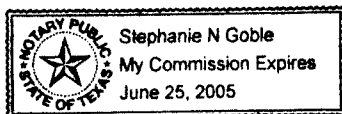
by: \_\_\_\_\_

→ FOR A CORPORATION, PARTNERSHIP, OR JOINT VENTURE:

by: Jean-Francois Govedard Having the title of  
(X) a Delaware corporation ( ) partnership ( ) joint venture

(He/She is (X) personally known to me, or  
( ) has produced \_\_\_\_\_ As identification.

Notary Seal: Notary Signature: [Signature] Type or print name: Stephanie N Goble



**AFFIDAVIT NO. 5**  
**CONTRACTOR'S DISCLOSURE AFFIDAVIT FOR MIAMI-DADE COUNTY**

Project No.: \_\_\_\_\_ Date: \_\_\_\_\_

Project Title: \_\_\_\_\_

STATE OF ~~FLORIDA~~ <sup>TEXAS</sup>

COUNTY OF ~~MIAMI-DADE~~ <sup>DALLAS</sup> SS

Before me, the undersigned authority, authorized to administer oaths and take acknowledgments, personally appeared: Jean-Francois Gouvard after being first duly sworn, upon oath deposes and says that he is an authorized representative of:

Worldwide Flight Services, Inc.  
(Legal name, Corporation, Partnership, Firm, Individual)

(hereinafter called Bidder) located at 1925 W. John Carpenter Fwy, Ste 450, Irving, TX  
(address, city, state) 75063

**PART I**

That the information given herein and in the documents attached hereto is true and correct.

1. The full legal name and business address\* of the person or entity (Contractor) contracting or transacting business with Miami-Dade County is:

Worldwide Flight Services, Inc.  
1925 W. John Carpenter Fwy, Suite 450  
Irving, Texas 75063

2. If the contract or business transaction is with a Corporation\*\*, provide the full legal name and business address\* and title for each officer.

Please see attached.

3. If the contract or business transaction is with a Corporation\*\*, provide the full legal name and business address\* for each director.

Please see attached.

**OFFICERS OF WORLDWIDE FLIGHT SERVICES, INC.**

**Full Names and Addresses of all the OFFICERS of the Company**

1. **Gouedard, Jean-Francois**                      President and Chief Executive Officer  
1925 W. John Carpenter Fwy, Ste. 450, Irving, Texas 75063
2. **Bijaoui, Olivier**                              Executive Vice President and Chief Operating Officer  
6 Rue de Pave, Zone de Fret 6, BAT 3220- BP 10212, 95703 Roissy CDG Cedex, France
3. **Dalia, Anthony**                                Senior Vice President of Airport Technical Services  
474 Meacham Avenue, Elmont, New York 11003
4. **Quay, Jeanette**                                Senior Vice President, General Counsel, & Corp. Secretary  
1925 W. John Carpenter Fwy, Ste. 450, Irving, Texas 75063
5. **Enright, James**                                Senior VP Human Resources and  
Assistant Corporate Secretary  
1925 W. John Carpenter Fwy, Ste. 450, Irving, Texas 75063
6. **Hyde, Brodie**                                  Treasurer  
1925 W. John Carpenter Fwy, Ste. 450, Irving, Texas 75063
7. **Vittas, John**                                    Senior Advisor  
1925 W. John Carpenter Fwy, Ste. 450, Irving, Texas 75063
8. **Burtzlaff, Gary**                                Senior Vice President of Ramp and  
Passenger Operations  
1925 W. John Carpenter Fwy, Ste. 450, Irving, Texas 75063
9. **Nassberg, Barry**                                Senior Vice President of  
International Operations  
Worldwide House 1501A, 19 Des Voeux Road Central, HKGASAA, Hong Kong, SAR  
PRC
10. **Duffy, Mike**                                    Senior Vice President of North America Cargo  
Cargo Bldg. 79, JFK International Airport, Jamaica, NY 11430

**DIRECTORS OF WORLDWIDE FLIGHT SERVICES, INC.**

**Full Names and Addresses of all the DIRECTORS of the Company**

- 1. Gouedard, Jean-Francois**  
1925 W. John Carpenter Fwy, Ste. 450, Irving, Texas 75063
- 2. Azema, David**  
1 cours Ferdinand-de-Lesseps, 92851 Rueil-Malmaison Cedex, France
- 3. Marchand-Arpoume, Jean-Pierre**  
1 cours Ferdinand-de-Lesseps, 92851 Rueil-Malmaison Cedex, France

4. If the contract or business transaction is with a Corporation\*\*, provide the full legal name and business address\* for each stockholder who holds directly or indirectly five percent (5%) or more of the corporation's stock and state the percentage.

WFS Holdings, Inc. - 100% ownership  
1925 W. John Carpenter Fwy., SUITE 450  
Irving, Texas 75063

5. If the contract or business transaction is with a Trust, provide the full legal name and address\* for each trustee and each beneficiary. All such names and addresses are:

N/A  
\_\_\_\_\_  
\_\_\_\_\_

6. The full legal name and business addresses\* of any other individuals (other than subcontractors, materialmen, suppliers, laborers, or lenders) who have, or will have, any interest (legal, equitable, beneficial or otherwise) in the contract or business transaction with Miami-Dade County are:

None  
\_\_\_\_\_  
\_\_\_\_\_

7. If a Corporate Joint Venture, list the names and titles of the Officers of the Corporate Members of the Joint Venture:

(a) President: _____	(b) President: _____
Vice-Pres: _____	Vice-Pres: _____
Secretary: _____	Secretary: _____
Treasurer: _____	Treasurer: _____

8. If a Non-Corporate Partnership or Joint Venture, list the names of the Principals of the Non-Corporate Partnership or Joint Venture:

(c) _____ (Name)	(d) _____ (Name)
(c) _____ (Title)	(d) _____ (Title)

9. State whether the person or entity (Contractor) contracting or transacting business with Miami-Dade County has a collective bargaining agreement with its employees (Yes/No):

10. Attach a list of the health care benefits to be paid to employees performing work under this Contract.

11. Attach a list reflecting the current breakdown of the Contractor's work force and ownership as to race, national origin, and gender.

(CONTRACTOR: ADD EXTRA SHEETS IF NEEDED)

\* Post Office Box addresses not acceptable.

\*\* If a Joint Venture, list this information for each member of the Joint Venture



**DISCLOSURES FOR MIAMI-DADE COUNTY**

**AFFIDAVIT NUMBER 5**

#10. ATTACH A LIST OF THE HEALTH CARE BENEFITS TO BE PAID TO EMPLOYEES PERFORMING WORK UNDER THIS CONTRACT.

**Attached is the Benefits of Choice packet. Should an employee elect not to participate in the benefits plan, their salary is increased by \$1.30 an hour.**

**DISCLOSURES FOR MIAMI-DADE COUNTY**

**AFFIDAVIT NUMBER 5**

**CURRENT BREAKDOWN OF THE MIAMI WORKFORCE**

**GENDER**

Female	233
Male	470

**ETHNIC ORIGIN**

American Indian	2
Asian	5
Black	106
Hispanic	576
White	14

# **CONTRACTOR'S DISCLOSURE AFFIDAVIT FOR MIAMI-DADE COUNTY PART II**

**LIST ALL CONSTRUCTION CONTRACTS IN EFFECT WITH MIAMI DADE COUNTY DURING THE  
LAST FIVE (5) YEARS:**

CONTRACT DATE	DOLLAR AMOUNT OF ORIG. CONTRACT	FINAL AMT. OF CONTRACT	PERCENTAGE DIFFERENTIAL
------------------	------------------------------------	---------------------------	----------------------------

=====

(1)

_____	\$ _____	\$ _____	_____ %
-------	----------	----------	---------

Summary of  
Construction  
Work performed \_\_\_\_\_  
\_\_\_\_\_

Litigation  
Arising out  
of Contract \_\_\_\_\_  
\_\_\_\_\_

(2)

_____	\$ _____	\$ _____	_____ %
-------	----------	----------	---------

Summary of  
Construction  
Work performed \_\_\_\_\_  
\_\_\_\_\_

Litigation  
Arising out  
of Contract \_\_\_\_\_  
\_\_\_\_\_

**CONTRACTOR'S DISCLOSURE AFFIDAVIT FOR MIAMI-DADE COUNTY**  
**PART II (Cont'd)**

(3)

\_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_ %

Summary of  
Construction \_\_\_\_\_  
Work performed \_\_\_\_\_

\_\_\_\_\_

Litigation  
Arising out \_\_\_\_\_  
of Contract \_\_\_\_\_

\_\_\_\_\_

=====

= (4)

\_\_\_\_\_ \$ \_\_\_\_\_ \$ \_\_\_\_\_ %

Summary of  
Construction \_\_\_\_\_  
Work performed \_\_\_\_\_

\_\_\_\_\_

Litigation  
Arising out \_\_\_\_\_  
of Contract \_\_\_\_\_

\_\_\_\_\_

=====

=

(CONTRACTOR: ADD EXTRA SHEET(S) IF NEEDED.)

# **CONTRACTOR'S DISCLOSURE AFFIDAVIT FOR MIAMI-DADE COUNTY** **PART II (Cont'd)**

LIST ALL PROFESSIONAL SERVICES AGREEMENTS IN EFFECT WITH MIAMI-DADE COUNTY DURING THE LAST FIVE (5) YEARS:

CONTRACT DATE	DOLLAR AMOUNT OF ORIG.CONTRACT	FINAL AMT. OF CONTRACT	PERCENTAGE DIFFERENTIAL
------------------	-----------------------------------	---------------------------	----------------------------

=====

(1)

_____	\$ _____	\$ _____	_____ %
-------	----------	----------	---------

Name of Dept. \_\_\_\_\_  
 & Summary of \_\_\_\_\_  
 Professional \_\_\_\_\_  
 Services \_\_\_\_\_  
 Performed \_\_\_\_\_

Litigation \_\_\_\_\_  
 Arising out \_\_\_\_\_  
 of Contract \_\_\_\_\_

=====

(2)

_____	\$ _____	\$ _____	_____ %
-------	----------	----------	---------

Name of Dept. \_\_\_\_\_  
 & Summary of \_\_\_\_\_  
 Professional \_\_\_\_\_  
 Services \_\_\_\_\_  
 Performed \_\_\_\_\_

Litigation \_\_\_\_\_  
 Arising out \_\_\_\_\_  
 of Contract \_\_\_\_\_

=====

=

# CONTRACTOR'S DISCLOSURE AFFIDAVIT FOR MIAMI-DADE COUNTY

## PART II (Cont d)

LIST ALL PROFESSIONAL SERVICES AGREEMENTS IN EFFECT WITH MIAMI-DADE COUNTY DURING THE LAST FIVE (5) YEARS:

CONTRACT DATE	DOLLAR AMOUNT OF ORIG.CONTRACT	FINAL AMT. OF CONTRACT	PERCENTAGE DIFFERENTIAL
------------------	-----------------------------------	---------------------------	----------------------------

=====

=  
(3)

	\$	\$	%
--	----	----	---

Name of Dept. \_\_\_\_\_  
& Summary of \_\_\_\_\_  
Professional \_\_\_\_\_  
Services \_\_\_\_\_  
Performed \_\_\_\_\_

Litigation \_\_\_\_\_  
Arising out \_\_\_\_\_  
of Contract \_\_\_\_\_  
\_\_\_\_\_

=====

= (4)

	\$	\$	%
--	----	----	---

Name of Dept. \_\_\_\_\_  
& Summary of \_\_\_\_\_  
Professional \_\_\_\_\_  
Services \_\_\_\_\_  
Performed \_\_\_\_\_

Litigation \_\_\_\_\_  
Arising out \_\_\_\_\_  
of Contract \_\_\_\_\_  
\_\_\_\_\_

=====

=

(CONTRACTOR: ADD EXTRA SHEET(S) IF NEEDED.)

**CONTRACTOR'S DISCLOSURE AFFIDAVIT FOR MIAMI-DADE COUNTY  
PART III**

- A. How long has firm been in business? Approx. 20 years
- B. Has the firm, or the principals of the firm, ever done business under another name or with another firm? Please see attached.  
If so, attach separate sheet(s) listing same information as in parts I, II and III of this affidavit.

C. List firm's private sector business for the last five (5) years:

<u>NAME OF CLIENT</u>	<u>DESCRIPTIVE TITLE OF PROJECT</u>
(1) <u>Please SEE Attached.</u>	
(2) _____	
(3) _____	
(4) _____	
(5) _____	

(CONTRACTOR: ADD EXTRA SHEET(S) IF NEEDED.)

**DISCLOSURE AFFIDAVIT FOR MIAMI-DADE COUNTY**  
**PART III**

- B. Has the firm, or the principles of the firm, ever done business under another name or with another firm? If so, please attached separate sheet(s) listing same information as in parts I, II, and III of this affidavit.**

**ANSWER:**

Yes. The firm has done business under the names of (a) Miami Aircraft Support (MAS) and (b) AMR Services Corporation.

- (i) Miami Aircraft Support was acquired in full by Worldwide Flight Services.
- (ii) AMR Services Corporation changed its name to Worldwide Flight Services, Inc. on March 31, 1999.



## Miami International Airport Contracts

Customer Name	Airport Code	Contract End Date	Service Summary
AEROPOSTAL AIRLINES	MIA	10/31/2003	RAMP/PAX
AMERICAN AIRLINES, INC.	MIA	3/31/2004	BAG/CARGO AGENT
AMERICAN AIRLINES, INC.	MIA	3/31/2004	SHUTTLE
AMERICAN AIRLINES, INC.	MIA	3/31/2004	SKYCAP
AMERICAN AIRLINES, INC.	MIA	3/31/2004	LAV DISPOSAL FACILITY
AMERICAN EAGLE AIRLINES, INC.	MIA	1/31/2002	CREW SHUTTLE
AMERICAN EAGLE AIRLINES, INC.	MIA	3/7/2003	BLUE SHIRTS
AMERICAN EAGLE AIRLINES, INC.	MIA	10/1/2999	LAV DISPOSAL FACILITY
AMERICAN SALES AND MANAGEMENT ORGANIZATION CORP.	MIA	4/30/2000	SUB-BLUE SHIRTS
ATLAS AIR, INC.	MIA	7/31/2002	CREW SHUTTLE
BRITISH AIRWAYS PLC	MIA	12/31/2002	CREW SHUTTLE
ESTAFETA CARGA AEREA, S.A. de C.V.	MIA	5/23/2004	CARGO/RAMP
F&E AIRCRAFT MAINTENANCE	MIA	4/14/1998	RAMP
FALCON AIR EXPRESS	MIA	6/30/2001	SECURITY
FALCON AIR EXPRESS	MIA	10/31/2003	RAMP
FALCON AIR EXPRESS	MIA	5/29/1999	PAX/RAMP-AD HOC
MARTINAIR HOLLAND N.V.	MIA	1/31/2004	SECURITY
MARTINAIR HOLLAND N.V.	MIA	10/31/2005	PAX/RAMP
PLANET AIRWAYS	MIA	2/14/2004	RAMP
SOL AIR	MIA	11/3/2003	WAREHOUSE
SOL AIR	MIA	6/28/2003	RAMP/PAX
SUN COUNTRY AIRLINES INC.	MIA	9/1/2002	RAMP/CARGO/PAX
SURINAM AIRWAYS LTD.	MIA	11/18/1999	RAMP
TAMPA AIRLINES S.A.	MIA	12/31/2005	RAMP
TRANSMERIDIAN AIRLINES	MIA	1/5/2004	RAMP
UNITED PARCEL SERVICE CO.	MIA	3/24/2001	TRANSPORTATION
UNITED PARCEL SERVICE CO.	MIA	5/21/2001	RAMP LABOR/EQ.
VIRGIN ATLANTIC AIRWAYS LTD.	MIA	11/2/1994	SHUTTLE
WORLD AIRWAYS, INC.	MIA	2/16/2999	RAMP/PAX

Witness: [Signature]  
(Signature)

Witness: [Signature]  
(Signature)

By [Signature]  
(Signature)

Jean-Francois Govedard  
President & CEO  
(Legal Name and Title)

The foregoing instrument was acknowledged before me this 9th day of September, 2003

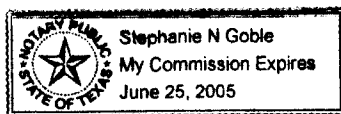
FOR AN INDIVIDUAL ACTING IN HIS OWN RIGHT:

by: \_\_\_\_\_

FOR A CORPORATION, PARTNERSHIP, OR JOINT VENTURE:

by: Jean-Francois Govedard Having the title of \_\_\_\_\_  
(X) a Delaware corporation ( ) partnership ( ) joint venture President & CEO  
He/She is (X) personally known to me, or  
( ) has produced \_\_\_\_\_ As identification.

Notary Seal: Notary Signature: [Signature] Type or print name: Stephanie N Goble



**AFFIDAVIT NO. 6  
CODE OF BUSINESS ETHICS AFFIDAVIT**

Project No.: \_\_\_\_\_ Date: \_\_\_\_\_

Project Title: \_\_\_\_\_

STATE OF ~~FLORIDA~~ <sup>TEXAS</sup>

COUNTY OF ~~MIAMI-DADE~~ <sup>DALLAS</sup> SS

Before me, the undersigned authority, authorized to administer oaths and take acknowledgments, personally appeared: Jean-Francois Govedard after being first duly sworn, upon oath deposes and says that he is an authorized representative of:

Worldwide Flight Services, Inc.  
(Legal name, Corporation, Partnership, Firm, Individual)

(hereinafter called Bidder) located at 1925 W. John Carpenter Fwy., Ste 450, Irving, TX  
(address, city, state) 75063

The above named entity has adopted a Business Code of Ethics that complies with the requirements of Section 1 of Ordinance No. 01-96.

The above named entity hereby affirms its understanding that its failure comply with its Code of Business Ethics shall render any contract between it and the County voidable, and subject it to debarment from future County work pursuant to section 10-38(h)(2) of the Code of Miami-Dade County. The Inspector General shall be authorized to investigate any alleged violation by a contractor of its Code of Business Ethics. Nothing contained herein shall be construed to limit the powers and duties of the Inspector General as stated in other sections of the Code of Miami-Dade County.

Witness: JH Quany  
(Signature)

By J Govedard  
(Signature)

Witness: [Signature]  
(Signature)

Jean-Francois Govedard  
President + CEO  
(Legal Name and Title)

The foregoing instrument was acknowledged before me this 9th day of September, 2003

FOR AN INDIVIDUAL ACTING IN HIS OWN RIGHT:

by: \_\_\_\_\_

FOR A CORPORATION, PARTNERSHIP, OR JOINT VENTURE:

by: Jean-Francois Govedard Having the title of a  
Delaware corporation ( ) partnership ( ) joint venture  
He/She is ☒ personally known to me, or  
( ) has produced \_\_\_\_\_ As identification.

Notary Seal: Notary Signature: Stephanie Noble Type or print name: Stephanie Noble

## **COUNTY CONTRACTORS EMPLOYMENT AND PROCUREMENT PRACTICES**

### **Ordinance 98-30**

In accordance with the requirements of Ordinance 98-30, all firms with annual gross revenues in excess of \$5 million, seeking to contract with Miami-Dade County shall, as a condition of award, have a written Affirmative Action Plan and Procurement Policy on file with the County's Department of Business Development. Said firms must also submit, as part of their proposals/bids to be filed with the Clerk of the Board, an appropriately completed and signed Affirmative Action Plan and Procurement Policy Affidavit. Firms whose Boards of Directors are representative of the population make-up of the nation are exempt from this requirement and must submit, in writing, a detailed listing of their Boards of Directors, showing the race or ethnicity of each board member, to the County's Department of Business Development. Firms claiming exemption must submit, as part of their proposals/bids to be filed with the Clerk of the Board, an appropriately completed and signed Exemption Affidavit in accordance with Ordinance 98-30. Either submittal shall be subject to periodic reviews to assure that the entities do not discriminate in their employment and procurement practices against minorities and women owned businesses.

It will be the responsibility of each firm to provide verification of their gross annual revenues to determine the requirement for compliance with the Ordinance. Those firms that do not exceed \$5 million annual gross revenues must clearly state so in their bid/proposal.

Any bidder/respondent which does not provide an Affirmative Action Plan and Procurement Policy may not be recommended by the County Manager for award by the Board of County Commissioners.

All Bidders with annual gross revenues in excess of \$5 million shall submit only one of the following two affidavits with its bid, whichever one is appropriate to its circumstances.

AFFIDAVIT NO. 7A

AFFIRMATIVE ACTION PLAN/PROCUREMENT POLICY AFFIDAVIT

Project No.: \_\_\_\_\_ Date: \_\_\_\_\_

Project Title: \_\_\_\_\_

STATE OF ~~FLORIDA~~ <sup>TEXAS</sup>

COUNTY OF ~~MIAMI-DADE~~ <sup>Dallas</sup> SS

Before me, the undersigned authority, authorized to administer oaths and take acknowledgments, personally appeared: Jean-Francois Govedard after being first duly sworn, upon oath deposes and says that he is an authorized representative of:

Worldwide Flight Services, Inc.

(Legal name, Corporation, Partnership, Firm, Individual)

(hereinafter called Bidder) located at 1925 W. John Carpenter Fwy, Ste 450, Irving, TX  
(address, city, state) 75063

and, that said bidder or respondent has a current Affirmative Action Plan and/or Procurement Policy as required by Ordinance 82-37 and/or 98-30, processed and approved for filing with Miami-Dade County Department of Business Development (DBD) under File No. \_\_\_\_\_ and the expiration date of \_\_\_\_\_

Witness: JH Quay  
(Signature)

By J. Govedard  
(Signature)

Witness: [Signature]  
(Signature)

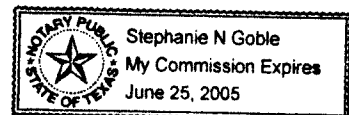
Jean-Francois Govedard  
President + CEO  
(Legal Name and Title)

The foregoing instrument was acknowledged before me this 9th day of September, 2003

FOR AN INDIVIDUAL ACTING IN HIS OWN RIGHT:

by: \_\_\_\_\_

FOR A CORPORATION, PARTNERSHIP, OR JOINT VENTURE:



by: Jean-Francois Govedard Having the title of  
Delaware corporation ( ) partnership ( ) joint venture President + CEO

He/She is ☒ personally known to me, or

( ) has produced \_\_\_\_\_ As identification.

Notary Seal: Notary Signature: Stephanie Goble Type or print name: Stephanie Goble

Please note:

Ordinance 82-37 requires that all properly licensed architectural, engineering, landscape architectural, and land surveyors have an affirmative action plan on file with the County.

Ordinance 98-30 requires firms with annual gross revenues in excess of five (5) million dollars have an affirmative action plan/procurement policy on file with the County. Firms that have Boards of Directors that are representative of the population make-up of the nation are exempt.

For Questions regarding these requirements contact the Department of Business Development at (305) 523-2100  
This affidavit must be properly executed by the bidder and included in the proposal/bid

**AFFIDAVIT NO. 7B**

**AFFIRMATIVE ACTION PLAN/PROCUREMENT EXEMPTION AFFIDAVIT**

Project No.: \_\_\_\_\_ Date: \_\_\_\_\_

Project Title: \_\_\_\_\_

STATE OF FLORIDA)

ss

COUNTY OF MIAMI-DADE)

Before me, the undersigned authority, authorized to administer oaths and take acknowledgments, personally appeared: \_\_\_\_\_ after being first dully sworn, upon oath deposes and says that he is an authorized representative of:

\_\_\_\_\_  
(Legal name, Corporation, Partnership, Firm, Individual)  
hereinafter called Bidder) located at \_\_\_\_\_  
(address, city, state)

and, that said bidder or respondent has a Board of Directors which is representative of the population make-up of the nation and hereby claims exemption in accordance with the requirements of Ordinance 98-30. Said bidder or respondent has a current Board of Directors Disclosure form as required by Ordinance 98-30, processed and approved for filing with Miami-Dade County Department of Business Development (DID) under File No. \_\_\_\_\_ and the expiration date of \_\_\_\_\_

Witness: \_\_\_\_\_  
(Signature)

By \_\_\_\_\_  
(Signature)

Witness: \_\_\_\_\_  
(Signature)

\_\_\_\_\_  
(Legal Name and Title)

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_

FOR A CORPORATION, PARTNERSHIP, OR JOINT VENTURE:

by: \_\_\_\_\_ Having the title of \_\_\_\_\_  
( ) a \_\_\_\_\_ corporation ( ) partnership ( ) joint venture  
He/She is ( ) personally known to me, or  
( ) has produced \_\_\_\_\_ As identification.

Notary Seal:

Notary Signature: \_\_\_\_\_

Type or print name: \_\_\_\_\_

Please note:  
Ordinance 82-37 requires that all properly licensed architectural, engineering, landscape architectural, and land surveyors have an affirmative action plan on file with the County.

Ordinance 98-30 requires firms with annual gross revenues in excess of five (5) million dollars have an affirmative action plan/procurement policy on file with the County. Firms that have Boards of Directors that are representative of the population make-up of the nation are exempt.

For Questions regarding these requirements contact the Department of Business Development at (305) 523-2100

This affidavit must be properly executed by the bidder and included in the proposal/bid

# DBE COMPLIANCE REPORT

## SCHEDULE OF DBE ACTIVITY

Permittee: Worldwide Flight Services, Inc. (WFS)  
 Permit Year November 2002 Through October 2003

Period	Certified as: >	Sub-contracted Services				Total Sub-contracted Services	Sub contracted % of Gross	Purchases of goods and Services						Total Purchases	DBE Participation (Services + Purchases)			
		DBE A/Sales Mgmt	HBE United Safeguard	General Patrol	Sub-contracted Services			HBE C & M Oil	W/HBE All Uniform	BV Oil	National Sunshine	Everglades Steel	Palmetto Ford/Truck		% (+ or -)	% Goal		
Nov-02	\$ 1,107,606.33	100.750	\$ 7,953.87	\$ 2,797.75	\$ 111,483.62	\$ 134,950.08	10.1%		\$ 4,237.98	24,440	-	-	-	\$ 7,188.54	\$ 140,162	12.7%	-7.3%	
Dec-02	1,468,394.00	118,186	13,961.58	2,802.50	2,888	90,194.07	6.2%		548.07	6,640.47	-	-	-	-	\$ 7,188.54	142,139	9.7%	-0.3%
Jan-03	1,303,970.68	73,218	14,088.07	2,888	49,111.90	31,066.89	6.9%		-	28,420.16	-	1,902.03	280.09	5,252.66	\$ 35,574.83	125,679	9.6%	-10.4%
Feb-03	944,490.90	21,422	25,998.90	1,691	49,111.90	31,066.89	5.2%		-	8,172.42	693.82	2,791.45	280.09	1,902.03	\$ 35,574.83	64,934	6.9%	-13.1%
Mar-03	968,338.64	21,365	16,385.70	2,612.50	31,066.89	3,268	3.2%		-	5,139.25	750.88	2,802.21	2,137.74	1,034.58	\$ 9,726.92	40,794	4.2%	-15.8%
Apr-03	868,084.72	15,000	16,385.70	3,268	34,653.70	3,096	4.0%		-	23,195.11	1,091.50	2,137.74	1,188.57	1,570.53	\$ 27,994.88	62,649	7.2%	-12.9%
May-03	844,906.27	15,113	7,476.63	3,268	25,097.63	3,096	3.0%		-	6,383.93	992.59	2,253.68	1,188.57	1,188.57	\$ 10,818.77	35,916	4.3%	-15.7%
Jun-03	870,104.55	9,622	12,977.94	3,192	25,791.94	2,896	3.0%		-	5,643.69	841.27	3,093.16	-	2,993.31	\$ 12,571.43	38,363	4.4%	-14.1%
Jul-03	972,365.39	7,101	16,520.08	3,239.50	26,860.58	2,096	2.8%		-	21,511.97	1,133.72	4,038.23	-	3,635.17	\$ 30,319.09	57,180	5.9%	-15.6%
Aug-03	1,041,779.54	0	19,387.66	1,258.75	20,646.41	-	2.0%		-	1,812.44	955.33	3,264.58	-	1,910.76	\$ 7,943.11	28,590	2.7%	-17.3%
Sep-03	-	0	-	-	-	-	-	#DIV/0!	-	-	-	-	-	-	-	-	-	-
Oct-03	-	0	-	-	-	-	-	#DIV/0!	-	-	-	-	-	-	-	-	-	-
Total	\$ 10,390,641	\$ 381,777	\$ 141,822	\$ 26,258	\$ 549,857	\$ 549,857	5.3%		\$ 4,786	\$ 131,359	\$ 6,459	\$ 22,283	\$ 280	\$ 21,470	\$ 186,638	\$ 736,494	7.1%	-12.9%

Year to date summary:

Actual Achieved	5.3%
Serv. Contractual obligation	10.0%
Variance (+ or -)	-4.7%

Actual Achieved	1.8%
Contractual obligation	10.0%
Variance (+ or -)	-8.2%

Actual Achieved	7.1%
Contractual obligation	20.0%
Variance (+ or -)	-12.9%

**MIAMI-DADE COUNTY**

**MIAMI-DADE AVIATION DEPARTMENT SINGLE EXECUTION  
CONDITION OF AWARD CERTIFICATIONS**

This sworn statement is submitted for:

Project Title \_\_\_\_\_

Project Number \_\_\_\_\_

COUNTY OF Dallas

STATE OF TEXAS

Before me the undersigned authority appeared Jean-Francois Gouedard (Print Name).  
who is personally known to me or who has provided  
as identification and who did (did not) take an oath, and who stated:

That he is the duly authorized representative of

Worldwide Flight Services, Inc.  
(Name of Entity)

1925 W. John Carpenter Fwy, SUITE 450, Irving, TX 75063  
(Address of Entity)

7/5-1/9/3/2/7/1/1  
Federal Employment Identification Number

hereinafter referred to as the contracting entity being its

President & Chief Executive Officer  
(Sole Proprietor)(Partner)(President or Other Authorized Officer)

and as such has full authority to make these five certifications/verifications and say as follows.



## DISABILITY NONDISCRIMINATION CERTIFICATION

That the above named entity is in compliance with and agrees to continue to comply with, and assure that any subcontractor, or third party contractor under this project complies with all applicable requirements of the laws listed below including, but not limited to, those provisions pertaining to employment, provision of programs and services, transportation, communications, access to facilities, renovations, and new construction.

The Americans with Disabilities Act of 1990 (ADA), Pub. L. 101-336, 104 Stat 327, 42 U.S.C. 12101-12213 and 47 U.S.C. Sections 225 and 611 including Title I, Employment; Title II, Public Services; Title III, Public Accommodations and Services Operated by Private Entities; Title IV, Telecommunications; and Title V, Miscellaneous Provisions.

The Rehabilitation Act of 1973, 29 U.S.C. Section 794

The Federal Transit Act, as amended 49 U.S.C. Section 1612

The Fair Housing Act as amended, 42 U.S.C. Section 3601-3631

Miami-Dade County Resolution No. R-385-95.

Any contract entered into based upon a false certification submitted pursuant to resolution No. R-385-95 shall be voidable by the County. If any attesting firm violates any of the Acts during the term of any contract such firm has with the County, such contract shall be voidable by the County, even if the attesting firm was not in violation at the time it submitted its certification.

## FAMILY LEAVE PLAN CERTIFICATION

That in compliance with Ordinance #93-118 which amended Ordinance #91-142 of the Code of Miami Dade County, Florida, the above named entity provides the following information and is in compliance with all items in the aforementioned ordinance.

Employees, as defined in Section 2, Ordinance# 93-118 and Chapter 11A of the Miami Dade County Code, shall be entitled to take leave on the same terms and conditions as are provided by Sections 102, 103, 104 and 108 of the Family and Medical Leave Act of 1993 (FMLA), Public Law No. 103-3, and any amendments thereto, with the exception of the following:

- (a) An employee may also take leave under the ordinance to care for a grandparent with a serious health condition on the same terms and conditions as leave is permitted under the FMLA to care for a parent with a serious health condition.
- (b) Employers are not required by the ordinance to maintain coverage under any group health plan for the duration of an employee's leave.
- (c) Nothing in this ordinance shall be construed to affect any employee benefit plan that the employer may otherwise provide.

Pursuant to Ordinance # 93-118, and Section 102 (Leave Requirements), Entitlement to Leave-Subject to section 103, an eligible employee shall be entitled to a total of 12 workweeks of leave during any 12-month period for one or more of the following:

- (a) Because of the birth of a son or daughter of the employee and in order to care for such son or daughter.
- (b) Because of the placement of a son or daughter with the employee for adoption or foster care.
- (c) In order to care for the spouse, or a son, daughter, or parent, of the employee, if such spouse, son, daughter, or parent has a serious health condition.
- (d) **Because of a serious health condition that makes the employee unable to perform the functions of the position of such employee.**

## **DOMESTIC LEAVE CERTIFICATION**

The entity named above certifies that the firm is in compliance with the Domestic Leave Ordinance, Ordinance 99-05.

## **MIAMI-DADE COUNTY REGARDING DELINQUENT AND CURRENTLY DUE FEES OR TAXES (Sec.2-8.1 (c) of the County Code)**

Except for small purchase orders and sole source contracts, the above named entity verifies that all delinquent and currently due fees or taxes - including but not limited to real and property taxes, utility taxes and occupational licenses - which are collected in the normal course by the Miami-Dade County Tax Collector as well as Miami-Dade County issued parking tickets for vehicles registered in the name of the entity have been paid.

## **DRUG-FREE WORK PLACE CERTIFICATION**

The entity named above certifies that the firm will provide a drug free workplace in compliance with Section 2-8.1.2 of the Code of Miami-Dade County as amended by Miami-Dade County Ordinance 00-30.

This single execution shall have the same force and effect as if each of the above five certifications/verifications had been individually executed.

*J. Guedard*  
(Signature of Authorized Representative)

Title President + CEO

Date 9-9-03

STATE OF: TEXAS

COUNTY OF: Dallas

The above instrument was acknowledged before me this 9<sup>th</sup> day of September, 2003.

by Jean-Francois Guedard  
(Authorized Representative)

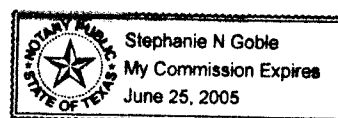
of Worldwide Flight Services, Inc.  
(Name of Corporation, Partnership, etc.)

who is personally known to me or has produced as  
identification and who did/did not take an oath.

*Stephanie N. Goble*  
(Signature of Notary)

Stephanie Goble  
(Print Name)

Notary Stamp or Seal:



Notary Commission Number: \_\_\_\_\_

My Commission Expires: June 25, 2005

**Worldwide Flight Services**  
**Miami, Florida**

**Disabled Individuals/Veterans**

**Affirmative Action Program**

**2003**

**Disabled Individuals/Veterans**  
**Affirmative Action Program**  
**For**  
**Worldwide Flight Services**  
**MIA**

Corporate EEO-1 Identification Number:

751932711

Corporate/Facility Dun & Bradstreet Identification Number:

11-744-7417

Art Ambruster  
General Manager

EEO/AAP Coordinator:

Elizabeth Pena  
HR Coordinator

This Affirmative Action Program covers the period from  
January 1, 2003 – December 31, 2003

## TABLE OF CONTENTS

	<u>Page</u>
I. REAFFIRMATION OF ESTABLISHMENT POLICY CONCERNING DISABLED INDIVIDUALS AND VETERANS .....	1
A. Equal Employment Opportunity Policy and Affirmative Action Programs....	1
B. Definitions .....	2
II. DISSEMINATION OF POLICY .....	4
A. Internal Dissemination .....	4
B. External Dissemination .....	5
C. Outreach and Positive Recruiting.....	5
III. RESPONSIBILITY FOR IMPLEMENTATION .....	7
A. Compliance Officer for the Entire Establishment.....	7
B. Equal Employment Coordinator .....	7
IV. AUDIT AND REPORTING SYSTEM .....	9
A. Purpose of System .....	9
B. Audit System .....	9
C. Reporting System.....	10
V. PLAN OF ACTION.....	11
A. Identification of Covered Individuals .....	11
B. Recruiting .....	11
C. Consideration of Qualifications of Covered Individuals .....	12
D. Review of Job Qualification Requirements.....	12
E. Accommodation to Physical and Mental Limitations of Employees .....	13
F. Compensation.....	13
G. Harassment.....	14
H. Compliance with Regulations .....	14

**I. REAFFIRMATION OF ESTABLISHMENT POLICY CONCERNING DISABLED INDIVIDUALS AND VETERANS**

Worldwide Flight Services, ("the Establishment") is committed to the goal of equality of opportunity in employment. To further this goal, a policy has been established concerning non-discrimination and affirmative action in providing employment opportunities to disabled individuals, disabled veterans, veterans of the Vietnam era and other covered veterans.

The Establishment prohibits discrimination against disabled persons, disabled veterans, veterans of the Vietnam era and other covered veterans and will take affirmative action to ensure such non-discrimination. Managers assure through action, accommodation, and teaching, that positive steps are being taken to comply with this policy and to meet the requirements of law.

The Sr. Vice President Human Resources has reaffirmed the Establishment's Equal Employment Opportunity Policy. See Exhibits. The policy is disseminated so that employees may be informed of its content.

**A. Equal Employment Opportunity Policy and Affirmative Action Programs**

It is the policy of this Establishment to prohibit discrimination against any employee or applicant for employment based on an individual's race, religion, color, sex, national origin, age, physical or mental disability, status as a disabled veteran, veteran of the Vietnam era, other covered veteran or any other protected group status, and further, to take affirmative action to employ and advance in employment qualified minorities, women, disabled persons, disabled veterans, veterans of the Vietnam era and other covered veterans.

To implement this policy, the Establishment has established Affirmative Action Programs by which we undertake that:

We will recruit, hire, train and promote qualified persons in all job titles, without regard to race, religion, color, sex, disability, national origin, age, covered veterans' status or any other protected group status.

1. We will base decisions on employment so as to further the principle of equal employment opportunity.
2. We will insure that promotion decisions are in accord with principles of equal employment opportunity by imposing only valid job requirements.
3. We will insure that all personnel actions such as compensation, benefits, transfers, promotions, layoffs, return from layoff, Establishment-sponsored training, education, tuition assistance, and social and recreational programs, will be

administered without regard to race, religion, color, sex, disability, national origin, age, covered veterans' status or any other protected group status.

4. We will insure that employees and applicants are not subjected to harassment, intimidation, threats, coercion or discrimination because they have engaged in or may engage in any of the following activities: (1) filing a complaint, (2) assisting or participating in an investigation, compliance review, hearing, or any other activity related to the administration of Section 503 of the Rehabilitation Act of 1973, as amended (Section 503), the Vietnam Era Veterans Readjustment Assistance Act of 1974, as amended (VEVRAA), Veterans Employment Opportunities Act of 1998 or any other Federal, State or local law requiring equal opportunity for disabled persons or covered veterans, (3) opposing any act or practice made unlawful under Section 503, VEVRAA, Veterans Employment Opportunities Act of 1998 or any other Federal, State or local law requiring equal opportunity for disabled persons or covered veterans, or (4) exercising any other right protected under Section 503, VEVRAA or Veterans Employment Opportunities Act of 1998.

## **B. Definitions**

For purposes of determining compliance with the Establishment's policy, the following definitions apply: A "disabled individual" means any person who: (1) has a physical or mental impairment which substantially limits one or more of such person's major life activities, (2) has a record of such impairment, or (3) is regarded as having such an impairment. For purposes of this definition, a disabled individual is "substantially limited" if he or she is (1) unable to perform a major life activity that the average person in the general population can perform, or (2) significantly restricted as to the condition, manner, or duration under which an individual can perform a particular major life activity as compared to the condition, manner, or duration under which the average person in the general population can perform the same major life activity.<sup>1</sup>

A "Vietnam era veteran" is a person who: (1) served on active duty for more than 180 days, and was discharged or released with other than a dishonorable discharge, if any part of such active duty occurred: (a) in the Republic of Vietnam between February 28, 1961 or May 7, 1975; or (b) between August 5, 1964, and May 7, 1975, in all other cases; or (2) was discharged or released from active duty for a service-connected disability if any part of such active duty was performed: (a) in the Republic of Vietnam between February 28, 1961, and May 7, 1975; or (b) between August 5, 1964 and May 7, 1975 in all other cases.

---

<sup>1</sup> With respect to the major life activity of working, a disabled individual is "substantially limited" if he or she is significantly restricted in the ability to perform either a class of jobs or a broad range of jobs in various classes as compared to the average person having comparable training, skills, and abilities. The inability to perform a single, particular job does not constitute a substantial limitation in the major activity of working.



A "disabled veteran" is a person entitled to disability compensation under laws administered by the Veterans Administration for disability rated at 30 per centum or more, or a person whose discharge was for a disability incurred or aggravated in the line of duty.

Pursuant to the Veterans Employment Opportunities Act of 1998, "other covered veterans" means other veterans who served on active duty during a war or in a campaign or expedition for which a campaign badge has been authorized.

The term "qualified" used in the phrases "qualified disabled individual" or "qualified disabled veteran" means a disabled individual or a disabled veteran who satisfies all the requisite skill, experience, education and other job-related requirements of his or her position and who, with or without reasonable accommodation of his or her disability, can perform the essential functions of their job.

A "special disabled veteran" is a veteran who is entitled to compensation (or who but for the receipt of military retired pay would be entitled to compensation) under laws administered by the Veterans Administration for a disability rated at 30 percent or more, or rated at 10 or 20 percent in the case of a veteran who has been determined under section 1506 of Title 38, U.S.C., to have a serious employment disability; or a person who was discharged or released from active duty because of service-connected disability.

## **II. DISSEMINATION OF POLICY**

In order to ensure that all employees, applicants for employment and others are aware that this establishment is an equal opportunity employer of the disabled and of disabled veterans, veterans of the Vietnam era and other covered veterans, the following steps have been taken and shall continue to be undertaken:

### **A. Internal Dissemination**

The Equal Employment Opportunity Policy, which includes the policy concerning employment of disabled persons and employment of veterans, is posted together with the required "EEO is the Law" poster so that applicants and employees may see it.

1. The Establishment's commitment to equal employment opportunity will be publicized in Establishment publications and other media and the accomplishments of disabled veterans, veterans of the Vietnam Era and other covered veterans will receive coverage in Establishment publications.

2. Meetings will be conducted to disseminate Establishment policy. These meetings shall include management and supervisory personnel and shall cover the policy concerning disabled persons, disabled veterans, veterans of the Vietnam era, and other covered veterans and responsibility for effective implementation.

3. Employees and job applicants have been notified of the Establishment's affirmative action program for disabled persons, disabled veterans, veterans of the Vietnam era and other covered veterans and the equal employment opportunity policy through the notice posted on key bulletin boards. Employees and applicants who have received offers of employment are invited to identify themselves if they wish to benefit under the affirmative action program. Employees are advised to contact the Equal Employment Coordinator if they feel they are being discriminated against because of a disability or veteran's status.

4. A copy of this affirmative action program is available for inspection to all employees and applicants for employment upon request. The invitation to self-identify, the location of the plan, and the hours when it is available for inspection have been conspicuously posted.

5. Information about the Establishment's affirmative action program for disabled persons and for disabled veterans, veterans of the Vietnam era and other covered veterans and the equal employment opportunity policy has been included in employee orientation programs, including orientation of new managers and supervisors.

6. When employees are featured in employee handbooks or similar publications, disabled employees and covered veterans are depicted, subject to the individual's right to privacy.

7. All personnel involved in the recruitment, screening, selection, promotion, disciplinary, and related processes shall be trained to ensure that the commitments in the contractor's affirmative action plan are implemented.

**B. External Dissemination**

1. Recruiting sources, including state employment security agencies, educational institutions, and social service agencies, have been informed of the Establishment policy concerning employment of disabled persons, disabled veterans, veterans of the Vietnam era and other covered veterans and have been advised to actively recruit and refer qualified disabled persons and qualified veterans for positions listed.

2. Notification has been sent to all subcontractors, vendors and suppliers requesting appropriate action on their part.

3. An effort shall be made to consider all qualified disabled persons and qualified veterans not currently in the work force who have requisite skills and can be recruited through affirmative action measures through use of the sources listed in the following - "Outreach and Positive Recruiting."

4. The affirmative action clauses prescribed in 41 C.F.R. § 60-250.4 and 41 C.F.R. § 60-741.4 have been incorporated by reference in accordance with 41 C.F.R. § 60-250.22 and 41 C.F.R. § 60-741.22 in each nonexempt purchase order and subcontract.

5. When employees are pictured in any type of advertising, disabled employees and covered veterans are included, subject to the individual's right to privacy.

**C. Outreach and Positive Recruiting**

The Establishment has reviewed its employment practices to ensure that the personnel programs provide equal opportunity and affirmative action for employment and advancement of qualified disabled individuals and veterans. In conjunction with these programs, the Establishment shall undertake appropriate outreach and positive recruiting activities such as those described below.

1. Recruiting programs shall be established and the assistance of recruiting sources shall be enlisted, where applicable and feasible. The Establishment shall contact organizations interested in employment of disabled persons and protected veterans.

Contacts shall be made and fostered with the organizations for advice, technical assistance, and referral of potential employees.

2. The work force has been reviewed to determine the availability of promotable, qualified, disabled individuals and protected veterans.

### **III. RESPONSIBILITY FOR IMPLEMENTATION**

The development and execution of Establishment policy in this program shall be administered as outlined below:

#### **A. Compliance Officer for the Entire Establishment**

Art Ambruster, has been designated as the Compliance Officer for the entire Establishment and shall be primarily responsible for developing statements of and effectuating the Establishment policy. The Compliance Officer for each facility and the Corporate Compliance Department is responsible for the development and implementation of a written Affirmative Action Program applicable to the specific location under his/her jurisdiction.

#### **B. Equal Employment Coordinator**

Elizabeth Pena, has been designated as the Equal Employment Coordinator and given the responsibility to supervise and audit the effective implementation of the affirmative action program for disabled persons and disabled veterans, veterans of the Vietnam era and other covered veterans at this Establishment.

Principal responsibilities of the Equal Employment Coordinator and the Corporate Compliance Department include, but are not limited to:

1. Develop annually Affirmative Action Programs.
2. Improve internal and external communication techniques.
3. Assist in the identification and solution of EEO focus areas.
4. Implement an audit and reporting system as outlined in Section IV of this program in order to evaluate the effectiveness of the program, and determine the degree of compliance with the policy.
5. Recommend any necessary remedial actions.
6. Serve as liaison between the Establishment and employment agencies, organizations concerned with disabled individuals or veterans, and enforcement agencies.
7. Review all technical forms for compliance with federal regulations and inform management of recent developments in affirmative action.
8. Review personnel processes to determine whether present procedures assure careful, thorough and systematic consideration of the job qualifications of known disabled, disabled veterans, Vietnam era veteran and other

covered veteran applicants/employees for job vacancies filled by hiring or promotion and for training programs.

9. Arrange as necessary for career counseling for disabled or covered veterans.

Managers and supervisory personnel are responsible for:

1. Ensure that employees placed through affirmative action efforts are not harassed, intimidated, coerced or discriminated against.

2. Identify any focus areas in their area of responsibility in implementation of affirmative action programs and assist in the development of solutions for any focus areas identified.

3. If focus areas arise, report them to the Equal Employment Coordinator immediately.

#### **IV. AUDIT AND REPORTING SYSTEM**

##### **A. Purpose of System**

The Establishment's Audit and Reporting System has been designed to:

1. Measure the effectiveness of the affirmative action program for disabled individuals, disabled veterans, Vietnam era veterans and other covered veterans.
2. Indicate those areas where remedial action is needed.
3. Determine the degree to which the Establishment's objectives have been obtained.
4. Determine whether known disabled and covered veteran employees have had the opportunity to participate in Establishment-sponsored training, recreational and social activities.
5. Ensure that the Establishment is in compliance with the Rehabilitation Act of 1973, the Vietnam Era Veterans Readjustment Assistance Act of 1974 and the Veterans Employment Opportunities Act of 1998.

##### **B. Audit System**

The audit system provides for maintenance of the following records:

1. Information on applicants, showing name of applicant, date of application, race, sex, disabled veteran status, Vietnam era veteran status, other covered veteran status and disability status (if identified), position applied for, offered and hired into.
2. A list of those individuals who have identified themselves for consideration under the affirmative action program and known disabled and protected veterans.
3. On an annual basis the Equal Employment Coordinator along with the Corporate Compliance Department will audit each of the items set forth in Section V of this program to insure that each of the items outlined in the Plan of Action have in fact been accomplished. In addition, the Equal Employment Coordinator will review with the management supervisory staff their efforts to achieve their EEO responsibilities. Supervisors will be asked to indicate any current or foreseeable EEO areas of concern and outline their suggestions for solutions. The Equal Employment Coordinator will discuss any area of concern relating to supervisors' implementation of the programs, such as issues with job accommodations.

4. Annual completion and submission of the VETS-100 form, recording by EEO-1 job category, the number of employees and new hires in the previous 12-months who are special disabled veterans, Vietnam era veterans and other covered veterans.

**C. Reporting System**

The result of the Equal Employment Coordinator's and Corporate Compliance Department's annual audit will culminate in a report to the President on the status of the Establishment's affirmative action program. This report reviews the plan of action of the prior year's affirmative action program, and recommends additional action-oriented programs, if necessary, which will be incorporated into the plan of action for the following year. The Equal Employment Coordinator will take any steps that are necessary to provide for the effective implementation of the program.



## **V. PLAN OF ACTION**

The Establishment views its AAP for employment of disabled persons, disabled veterans, veterans of the Vietnam era and other covered veterans as a program designed to enhance the opportunities of qualified disabled individuals and covered veterans. It recognizes that the ultimate success of this undertaking will be largely the result of the good faith efforts detailed in the plan of action of the AAP.

### **A. Identification of Covered Individuals**

Applicants, subsequent to receiving job offers but prior to starting work, and employees are invited to identify themselves if they wish to be considered under the Establishment's disabled, disabled veteran, Vietnam era veteran or other covered veterans AAP. Such identification is voluntary and confidential, and applicants and employees are so advised. Applicants and employees are also advised that they may identify themselves as disabled at any time in the future.

If an applicant has identified himself/herself as a covered disabled individual or disabled veteran or Vietnam era veteran or other covered veteran, this information is forwarded to the Equal Employment Coordinator and the Corporate Compliance Department for consideration under the Establishment's affirmative action program.

Additional opportunity, by notice posted on employee bulletin boards, is provided to employees to identify themselves under this affirmative action program.

### **B. Recruiting**

The Establishment is actively seeking qualified disabled persons and disabled veterans, Vietnam era veterans and other covered veterans for current and future employment. In order to improve recruitment and increase the flow of qualified applicants, we will contact those recruitment sources listed previously.

The Establishment informs primary recruiting sources of our EEO policy. Where possible, briefing sessions are conducted on Establishment premises with representatives from these recruiting sources. These sessions include such activities as department tours, information on jobs and necessary qualifications, explanations of the Establishment employment selection process, and recruiting literature.

All employment openings except executive and top management positions, positions that will be filled from within the Establishment's organization, and positions lasting three days or less, have been listed concurrently with the use of any other recruitment source or effort with the appropriate office of the State Employment Service.

## **C. Consideration of Qualifications of Covered Individuals**

### **1. Selection for Employment**

All employees engaged in making hiring or other selection decisions are trained in EEO policy. Individuals have been trained to ensure freedom from stereotyping disabled persons or covered veterans in a manner which limits their access to all jobs for which they are qualified. In determining the qualifications of a covered veteran, the Establishment shall consider only that portion of the military record, including discharge papers, relevant to the specific job qualifications for which the veteran is being considered. The Application for Employment form inquires about the education and training received while in the military service in order to fully evaluate the applicant's qualifications for employment.

### **2. Promotions**

The Establishment has adopted a job posting system which covers regular and part-time openings. Under the posting system, openings are posted and any employee may apply in writing.

The records of interested disabled, disabled veteran, Vietnam era veteran and other covered veteran employees are reviewed to assure that qualified individuals are given equal consideration as opportunities for upgrading, promotion, and transfer occur. Where additional training and experience would be helpful for advancement, management counsels and assists disabled employees and covered veterans.

### **3. Training**

Disabled employees and covered veterans are given equal access to all training programs designed to enhance an employee's ability to assume positions of greater responsibility. This information is reviewed to assure that all employees have equal access regardless of disability or covered veteran status.

### **4. Other Personnel Procedures**

Disabled and covered veterans have the opportunity to participate on an equal basis in all Establishment sponsored social and recreational programs.

## **D. Review of Job Qualification Requirements**

As opportunities arise, review of physical and/or mental job qualification requirements will be conducted to ensure that, to the extent qualification requirements tend to screen out qualified disabled individuals or disabled veterans, these qualification requirements are job-related and are consistent with business necessity and the safe performance of the job. This review will continue for each job for which a disabled or covered veteran employee or applicant is being considered.

Each member of management involved in the recruitment, screening, selection and promotion process has access to the materials related to the review of job qualification requirements in order to assure that qualification requirements do not screen out qualified individuals unless such qualification requirements are job-related and consistent with business necessity and the safe performance of the job.

Results of any medical examinations and/or inquiries relating to the physical or mental condition of an employee or applicant are kept confidential, except that:

1. supervisors and managers may be informed regarding restrictions on the work or duties, or necessary accommodations of a disabled individual or covered veteran;
2. medical first aid and safety personnel are informed to the extent necessary in those instances in which emergency treatment may be required; and
3. such information will be available as requested during an investigation by government officials of compliance with the applicable regulations.

**E. Accommodation to Physical and Mental Limitations of Employees**

The Establishment shall make every effort to accommodate the physical or mental limitations of disabled and disabled veteran applicants and employees, unless such accommodation would impose an undue hardship on the conduct of the Establishment's business. In addition, if appropriate, the Establishment shall seek guidance from the various resource organizations that may be helpful in designing reasonable job accommodations for such applicants or employees. In determining the extent of the Establishment's job accommodation obligations, the following factors, among others, shall be considered: business necessity, financial cost and expense, and resulting personnel problems. In designing new construction and remodeling old facilities, special consideration shall be given, insofar as it is economically practicable, to the removal of architectural barriers to access by disabled persons or covered veterans.

**F. Compensation**

The Establishment does not reduce the amount of compensation offered to a disabled individual or disabled veteran or veteran of the Vietnam era or other covered veteran because of any disability income, pension or other benefit the applicant or employee receives from another source.

**G. Harassment**

The Establishment has developed and implemented procedures to ensure that its employees are not harassed because of a disability, special disabled veteran or veteran of the Vietnam Era status.

**H. Compliance with Regulations**

The Establishment is in compliance with the technical requirements of the applicable regulations. A copy of the poster Equal Employment Opportunity is the Law has been posted on Establishment bulletin boards. This poster informs individuals of the affirmative action requirements under the Vietnam Era Veterans Readjustment Assistance Act of 1974 and Section 503 of the Rehabilitation Act of 1973.

## **AFFIRMATIVE ACTION - EQUAL EMPLOYMENT OPPORTUNITY POLICY STATEMENT**

January 1, 2003

### **TO EMPLOYEES AND APPLICANTS FOR EMPLOYMENT:**

It is the expressed policy of Worldwide Flight Services, Inc. to provide equal employment opportunity to all employees and applicants for employment without regard to age, race, sex, color, religion, national origin, sexual orientation, disability or veteran status. Worldwide Flight Services, Inc. takes affirmative action to ensure that this policy is practiced in all personnel actions and conditions of employment, including but not limited to: recruitment, employment, training, promotion, transfer, demotion, termination, layoff, return from layoff, discipline, compensation, benefits and training.

The Senior Vice President Human Resources, the Corporate Affirmative Action Staff and local Equal Employment Opportunity Coordinators administer Worldwide Flight Services, Inc.'s affirmative action and equal employment opportunity policies and procedures and monitor personnel activities to ensure that all actions support these principles. In addition, managers and supervisors at all levels have the responsibility to meet affirmative action objectives, foster a work environment which provides equal opportunity, and ensure compliance with this policy.

Worldwide Flight Services, Inc. maintains a workplace which is free from discrimination and which recognizes the individual dignity of each employee or applicant. Sexual harassment or any other kind of intimidation will not be tolerated. Further, employees and applicants may file a complaint, furnish information, or assist in any manner in an investigation related to Federal, State or local equal employment opportunity laws without fear of retaliation.

All employees must be aware of and support the Company's commitment to the principles of equal employment opportunity.

Affirmative Action Plans are available for review, by appointment, in the EEO Coordinator's office Monday through Friday, between the hours of 9:00 AM and 12:00 Noon.

01/01/03 – 12/31/03

TO ALL WORLDWIDE FLIGHT SERVICES, INC. EMPLOYEES AND APPLICANTS:

Worldwide Flight Services, Inc. takes affirmative action to employ and promote qualified Special Disabled Veterans, Veterans of the Vietnam Era and individuals with disabilities.

If you qualify and would like to be considered under this Program, contact the Corporate Compliance Department at 1925 W. John Carpenter Freeway, Suite 450, Irving, Texas 75063. Please include descriptions of the following: your qualifications and/or special skills, procedures which might help you perform your current job or any other position in which you re interested, and any reasonable accommodations we could make which would enable you to perform the job properly and safely. Worldwide Flight Services, Inc. provides reasonable accommodation whenever possible in an effort to ensure that employment opportunities are available for individuals with disabilities and Vietnam Era/Special Disabled Veterans.

Your participation in this program is voluntary. Any information we obtain is kept confidential except that management may be informed of restrictions or accommodations regarding the work or duties of special disabled veterans or individuals with disabilities. Medical and safety personnel may be informed, if necessary, and government officials investigating compliance with appropriate regulations shall be informed. You may notify the Company now or at a future date of you desire to benefit under this program

James Enright  
Senior Vice President  
Human Resources

**WORLDWIDE FLIGHT SERVICES**

**Miami, Florida**

**Executive Order 11246**

**Affirmative Action Program**

**For**

**Women and Minorities**

**2003**

**Executive Order 11246**  
**Affirmative Action Program**  
**For**  
**WORLDWIDE FLIGHT SERVICES**  
**MIA**

Corporate EEO-1 Identification Number:

751932711

Corporate/Facility Dun & Bradstreet Identification Number:

11-744-7417

Art Ambruster  
General Manager

EEO/AAP Coordinator:

Elizabeth Pena  
HR Coordinator

This Affirmative Action Program covers the period from  
January 1, 2003 – December 31, 2003



## TABLE OF CONTENTS

Table Of Contents .....	i
Table Of Appendices .....	ii
Confidentiality.....	iii
Preliminary Statement .....	1
Establishment Summary .....	2
1. Organizational Profile [41 C.F.R. § 60-2.11].....	3
2. Job Group Analysis [41 C.F.R. § 60-2.12] .....	4
3. Placement Of Incumbents In Job Groups [41 C.F.R. § 60-2.13] .....	5
4. Determining Availability [41 C.F.R. § 60-2.14].....	6
5. Comparing Incumbency To Availability [41 C.F.R. § 60-2.15].....	8
6. Placement Goals [41 C.F.R. § 60-2.16].....	9
7. Designation Of Responsibility [41 C.F.R. § 60-2.17(A)].....	10
8. Identification Of Focus Areas [41 C.F.R. § 60-2.17(B)] .....	11
9. Action-Oriented Programs [41 C.F.R. § 60-2.17(C)].....	13
A. Action-Oriented Programs for Job Groups With Placement Rate Goals	
B. Action-Oriented Programs for Organizational Units	
10. Internal Audit & Reporting System [41 C.F.R. § 60-2.17(D)] .....	14

## **TABLE OF APPENDICES**

Appendix A	Workforce Analysis
Appendix B	Job Group Analysis
Appendix C	Sources and Weighted Availabilities for Factor 1 (External Availability) and Factor 2 (Internal Availability)
Appendix D	2-Factor Analysis
Appendix E	Comparing Incumbency to Availability Summary/Placement Rate Goals
Appendix F	Identification of Focus Areas by Organizational Unit (JAAR Analysis)
Appendix G	Analysis of Applicant Flow/Analysis of Personnel Transactions
Appendix H	Achievement of Prior Year's Goals
Appendix I	Documentation Regarding Action-Oriented Programs

## **CONFIDENTIALITY**

This Affirmative Action Program contains confidential information which is subject to the provisions of 18 USCS § 1905. *Chrysler Corp. v. Brown*, 441 U.S. 281, 19 FEP Cases 475 (1979). Copies of this Affirmative Action Program and all related appendices, documents and support data are made available on loan to the U.S. Government, and upon the request of the government, on the condition that the government holds them totally confidential and does not release copies to any persons or entities. This Affirmative Action Program and its appendices and other supporting documents contain much confidential information which may reveal, directly or indirectly, the Establishment's plans for business and geographical expansion and contraction. Worldwide Flight Services considers this Affirmative Action Program to be exempt from disclosure, reproduction, and distribution under the Freedom of Information Act upon the grounds, among others, that such material constitutes (1) personnel files, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy, which are exempt from disclosure under 5 USCS § 552(b)(6); (2) confidential, commercial or financial information, which is exempt from disclosure under 5 USCS § 552(b); (3) investigatory records compiled for law enforcement purposes, the production of which would constitute an unwarranted invasion of personal privacy, which are exempt from disclosure under 5 USCS § 552(b)(7)(C); and (4) matters specifically exempted from disclosure by statute, which are exempt from disclosure under 5 USCS § 552(b)(3). Notice is hereby given of a request pursuant to 41 C.F.R. § 60-1.20(f) that portions of this program be kept confidential.

Thus, the Establishment wishes to make it clear that it does not consent to the release of any information contained in this Affirmative Action Program under the Freedom of Information Act or otherwise. If the U.S. Government, or any agency or subdivision thereof, is considering a request for release of this program under the Freedom of Information Act, request is hereby made that the government immediately notify the EEO/AAP Coordinator of the Establishment of any and all Freedom of Information Act requests received by the government or any other contemplated release of this program by the government which relates to information obtained by the government from this Establishment. The Establishment further requests that everyone who has any contact with this Affirmative Action Program, or its supporting appendices, documents, and other data, treat such information as totally confidential and that such information not be released to any person or entity. Retention or disclosure of information relating to identifiable individuals may also violate the Privacy Act of 1974.

## **PRELIMINARY STATEMENT**

This Affirmative Action Program is designed to satisfy the equal employment opportunity/affirmative action responsibilities under Executive Order 11246, as amended, and the implementing rules and regulations of the Secretary of Labor. A separate Affirmative Action Program for disabled individuals, disabled veterans, veterans of the Vietnam era and other covered veterans has been adopted.

The terms "utilization analysis," "underutilization," "availability analysis," and "focus area," appearing in this Affirmative Action Program, are terms the Establishment is required to use herein by government regulations. The criteria used in relation to these terms are those specified by the government. These terms have no independent legal or factual significance whatsoever. Although we will use the terms in total good faith in connection with the Affirmative Action Program, such usage does not necessarily signify that the Establishment agrees that these terms are properly applied to any particular factual situation.

Furthermore, the use of such terms as "deficiency," "underrepresentation," "concentration," "expected number," "problem area," "affected class," etc., is not an admission that minorities and/or women have been or presently are being discriminated against in any way in violation of federal, state or local fair employment practices laws. Further, nothing contained in this program or the data supporting this program is an admission by Worldwide Flight Services that it has violated any such federal, state or local fair employment practices laws.

Whenever the term "goal" is used, it is expressly intended that it "should not be used to discriminate against any applicant or employee because of race, color, religion, sex, or national origin," as stated in 41 C.F.R. § 60-2.30. Any placement goals established in this Affirmative Action Program are not intended as rigid, inflexible quotas that must be met but rather as objectives or targets that are reasonably attainable by applying every good faith effort to make all aspects of the Affirmative Action Program work.

This Affirmative Action Program is not intended to create any rights in any person or entity other than the relevant contracting government entity.

This plan has been developed in strict reliance upon the affirmative action guidelines issued by the Equal Employment Opportunity Commission (EEOC). *Affirmative Action Appropriate Under Title VII of the Civil Rights Act of 1964, As Amended*, 29 C.F.R. Part 1608.

## **ESTABLISHMENT SUMMARY**

Worldwide Flight Services performs a variety of airport and airline services, including ground handling of commercial passenger aircraft, cargo handling, passenger handling, cabin service and baggage service. These services are contracted for by airlines that fly out of airports where Worldwide stations are located. Worldwide's corporate office is located in Irving, Texas. This Affirmative Action Program reports the workforce as of December 2002 and covers the Establishment in Miami.

Facility location and address:

5600 NW 36 Street Ste. 611

Miami, FL 33122

Services provided at this location: Ramp Service, Passenger Service, Baggage Service, Special Service, Transportation, Security and Warehouse.

Major departments at this location: Passenger Service and Ramp Service

Approximate number of employees at this location: 820 employees

Authority for decision making at this location: Art Ambruster

This Affirmative Action Program also reports but does not count an additional employee pursuant to the OFCCP Compliance Manual, Chapter 2, regarding Corporate-Level Selection Decisions. This employee is annotated on the Organizational Profile and the Job Group Analysis.

## **1. ORGANIZATIONAL PROFILE**

[41 C.F.R. § 60-2.11]

Pursuant to 41 C.F.R. § 60-2.11, the Establishment has prepared an organizational profile for this Establishment as part of its Affirmative Action Program. The Establishment has elected to use a Workforce Analysis to satisfy this requirement.

The Workforce Analysis is a listing of each job title, ranked lowest to highest paid, in each department or other similar organizational unit including departmental or unit supervision.

Pursuant to 41 C.F.R. § 60-2.11(c)(4), the following information is shown for each job title in each department or other organizational unit:

- (1) the total number of incumbents;
- (2) the total number of female and male incumbents;
- (3) the total number of male and female incumbents in each of the following groups: Blacks, Hispanics, Asians/Pacific Islanders, and American Indians/Alaskan Natives; and
- (4) the wage rate or salary range.

The Workforce Analysis is found at Appendix A.

Management reviews the workforce analysis at the beginning of each Affirmative Action Program year to determine whether the Establishment's staffing patterns indicate potential barriers to equal employment opportunity. See Section 8-1.

## **2. JOB GROUP ANALYSIS**

[41 C.F.R. § 60-2.12]

Pursuant to 41 C.F.R. § 60-2.12, the Establishment has prepared a Job Group Analysis for this Establishment as part of its Affirmative Action Program. This Job Group Analysis lists all job titles in each job group.

For purposes of this Affirmative Action Program, the Establishment has combined job titles with similar content, wage rates and opportunities into job groups. The Establishment considered the following factors when combining job titles into job groups for this Establishment:

- (1) the duties and responsibilities of the job titles;
- (2) the compensation structure for the job titles; and
- (3) training, transfers, promotions, pay mobility, and other career enhancement opportunities.

The Job Group Analysis report lists all job titles for all positions located at the Establishment.

If jobs located at other establishments are included in this Establishment's Affirmative Action Program, the Job Group Analysis has been annotated to identify the actual location of those jobs.

If jobs located at this Establishment are included in another establishment's Affirmative Action Program, the Job Group Analysis has been annotated to identify the program in which the jobs are included.

The Job Group Analysis is found at Appendix B.

### **3. PLACEMENT OF INCUMBENTS IN JOB GROUPS**

[41 C.F.R. § 60-2.13]

As required by 41 C.F.R. § 60-2.13, the Establishment has separately stated the percentage of minorities and the percentage of women it employs in each job group established pursuant to § 60-2.12. These percentages are reported in the Job Group Analysis at Appendix B.



#### **4. DETERMINING AVAILABILITY**

[41 C.F.R. § 60-2.14]

Pursuant to 41 C.F.R. § 60-2.14, the Establishment has separately determined the availability of minorities and women for each job group. In determining availability, the Establishment has considered at least the following:

- (1) The percentage of minorities or women with requisite skills in the reasonable recruitment area. The reasonable recruitment area is the geographical area from which the Establishment usually seeks or reasonably could seek to fill open positions for a job group.
- (2) The percentage of minorities or women among those promotable, transferable or trainable within the organization.

Pursuant to 41 C.F.R. § 60-2.14(d), the Establishment used the most current and discrete statistical information available to derive availability figures.

The Establishment determines the reasonable recruitment area(s) for each job group based on the requirements set forth in 41 C.F.R. § 60-2.14(c) and 41 C.F.R. § 60-2.14(e). The Establishment did not draw its reasonable recruitment areas in such a way as to have the effect of excluding minorities or women. The Establishment has identified the reasonable recruitment area(s) for all job groups and prepared an explanation of the rationale for the selection of that recruitment area. See Appendix D.

The Establishment determines the pool of promotable, transferable and trainable employees ("feeder pools") for each job group based on the requirements set forth in 41 C.F.R. § 60-2.14(c)(2) and 41 C.F.R. § 60-2.14(f). The Establishment has not defined these pools in such a way as to have the effect of excluding minorities or women. The Establishment has identified the feeder pool(s) for all job groups from which employees historically have been transferred or promoted into this job group. The Establishment has also identified geographic areas where the Establishment historically has been successful in recruiting candidates for positions within this job group and/or from where they would reasonably commute. See Appendix D.

##### External Availability

External availability was calculated by reviewing hiring activity. Data from the most recently released United States census were used to determine external availability. Each job title was matched to a single Census Occupational Classification Code (OCC) where possible.

External availability data are provided in Appendix C.

### Internal Availability

Internal availability was calculated by reviewing internal placement activity and reviewing data for those employees who could, with appropriate training which the Establishment is reasonably able to provide, become promotable or transferable during the Affirmative Action Program year.

Internal availability data is provided as Appendix C.

### Composite Availability

Pursuant to 41 C.F.R. §60-2.14(g), where a job group was comprised of job titles with rates of availability different enough to warrant a composite availability calculation, the Establishment calculated such a composite availability by:

- (1) determining the availability for each job title,
- (2) determining the proportion of job group incumbents employed in each job title,
- (3) weighting the availability for each job title by the proportion of job group incumbents employed in each job title within that job group, and
- (4) adding the weighted availability estimates for all job titles within the job group.

Pursuant to 41 C.F.R. § 60-2.14(b), the Establishment separately determined final availability rates for minorities and women. See Appendix D.

## **5. COMPARING INCUMBENCY TO AVAILABILITY**

[41 C.F.R. § 60-2.15]

Pursuant to 41 C.F.R. § 60-2.15, the Establishment compared the percentage of minorities and women in each job group with the rates of availability for those job groups.

When the percentage of minorities or women employed in a particular job group was less than would reasonably be expected given their availability percentage, the Establishment established a placement goal in accordance with 41 C.F.R. § 60-2.16.

Pursuant to the Preamble published with the regulations at 41 C.F.R. Part 60-2 on November 13, 2000, the Establishment has used a two standard deviation test of statistical significance for "larger" job groups and an "exact binomial" method for "smaller" job groups when making its determinations as to whether the percentage of minorities or women in a job group was less than would reasonably be expected given their availability percentage for that particular job group.

The comparison of incumbency to availability is provided in Appendix E.

## 6. PLACEMENT GOALS

[41 C.F.R. § 60-2.16]

Pursuant to 41 C.F.R. § 60-2.16, the Establishment established percentage annual placement goals for minorities and/or women in those job groups where the percentage of minorities and/or women employed was less than would reasonably be expected given their availability.

Pursuant to 41 C.F.R. § 60-2.16(c), the placement rate goals established by the Establishment at least equals the availability rate for minorities and/or women for that particular job group.

Pursuant to 41 C.F.R. § 60-2.16(d), the Establishment has, where required, established a single goal for all minorities.

In establishing placement goals, the Establishment has adhered to the following principles:

- These placement goals are objectives or targets reasonably attainable by means of applying every good faith effort to make all aspects of its Affirmative Action Program work.
- These placement goals are not rigid and flexible quotas which must be met. They are not considered a ceiling or a floor for the employment of particular groups. Quotas are expressly forbidden.
- In all employment decisions, selection decisions are made in a nondiscriminatory manner. Placement goals are not a justification to extend a preference to any individual, select an individual, or adversely affect an individual's employment status, on the basis of that person's race, color, religion, sex or national origin.
- The Establishment does not use placement goals to create set-asides for specific groups, nor are they intended to achieve proportional representation or equal results.
- These placement goals do not supersede merit selection principles. The Establishment is not required to hire a person who lacks qualifications to perform a job successfully or hire a less-qualified person in preference to a more qualified person.

The Establishment's placement rate goals for this Establishment are reported at Appendix E. Action-oriented programs to address these goals are discussed in Section 9.

## **7. DESIGNATION OF RESPONSIBILITY**

[41 C.F.R. § 60-2.17(a)]

Pursuant to the requirements of 41 C.F.R. § 60-2.17(a), the Establishment has assigned Elizabeth Peña, as the official of this Establishment responsible for the implementation of equal employment opportunity and the Affirmative Action Program (EEO/AAP Coordinator).

The EEO/AAP Coordinator has the authority, resources, support of and access to the Establishment's top management to ensure the effective implementation of the affirmative action program. The EEO/AAP Coordinator's and the Corporate Compliance Department's responsibilities include, but are not limited, to:

- Conducting or performing in-depth analyses of the Establishment's total employment process to determine whether and where impediments to equal employment opportunity exist. (See Section 8)
- Developing and implementing action-oriented programs designed to correct any problem areas identified pursuant to § 60-2.17(b) and to attain established percentage goals and objectives. (See Section 9)
- Developing and implementing auditing systems that periodically measure the effectiveness of the total Affirmative Action Program. (See Section 10)
- Reviewing internal EEO reports with all levels of the Establishment's management team on a scheduled basis. (See Section 10)
- Advising top management of the program's effectiveness and submitting recommendations to improve unsatisfactory performance. (See Section 10)
- Serving as liaison between the government and the Establishment.
- Serving as liaison between the Establishment and appropriate organizations in the community upon which the Establishment may rely in fulfilling program obligations.

## **8. IDENTIFICATION OF FOCUS AREAS**

[41 C.F.R. § 60-2.17(b)]

Pursuant to 41 C.F.R. § 60-2.17(b), the Establishment periodically performs in-depth analyses of its total employment process to determine whether and where impediments to equal employment opportunity exist. The Establishment has evaluated:

- (1) its workforce by organizational unit and job group to determine whether there are any problems of minority or female utilization or of minority or female distribution;
- (2) its personnel activity, including applicant flow, hires, promotions, terminations and other personnel actions to determine whether there are selection disparities;
- (3) its compensation system to determine whether there are gender-, race- or ethnicity-based disparities;
- (4) its selection, recruitment, referral, and other personnel procedures to determine whether they result in disparities in the employment or advancement of minorities or women; and
- (5) any other areas that might impact the success of the Affirmative Action Program.

The results of these analyses are as follows:

### Minority and Female Utilization and Distribution [41 C.F.R. § 60-2.17(b)(1)]

Job groups in which the rates of minority and/or female employment were less than would reasonably be expected based upon availability as determined by 41 C.F.R. § 60-2.14 are provided in Appendix E.

Organizational units where minorities and/or women were underrepresented or concentrated are reported in the Identification of Focus Areas by Organizational Unit report provided in Appendix F.

### Review of Personnel Activity [41 C.F.R. § 60-2.17(b)(2)]

The Establishment reviewed its applicant flow, hires, promotions, terminations and other personnel activity. Summaries of these personnel activities are provided in Appendix G. It has performed impact ratio analyses to determine whether the Establishment's selection practices had a disparate impact on women or minorities. These analyses included use of the "80 percent test" and, where appropriate, other tests for statistical significance commonly recognized by the courts and federal civil

rights enforcement agencies as acceptable methods for determining whether adverse impact is present. Where potential adverse impact was indicated, the Establishment further researched and reviewed the selection decisions involved and determined that none of the Establishment's employment practices had a disparate impact on minorities or women.

#### Review of Compensation System [41 C.F.R. § 60-2.17(b)(3)]

The Establishment's analyses of its compensation system included a proper review of all compensation components.

The Establishment analyzed its compensation processes and systems to determine whether there were indications of systemic discrepancies in pay that appeared to be based on gender, race or ethnicity. Any such instances were further analyzed to determine whether actual compensation discrimination occurred.

The Establishment's analyses indicated that there are no gender-, race- or ethnicity-based disparities.

#### Review of Selection, Recruitment, Referral and Other Procedures [41 C.F.R. § 60-2.17(b)(4)]

The Establishment reviewed its selection, recruitment, referral and other personnel procedures to determine whether they resulted in disparities in the employment or advancement of minorities or women. The Establishment's analysis indicated that they did not.

#### Other Areas, Including Achievement of Prior Year's Goals [41 C.F.R. § 60-2.17(b)(5)]

The Establishment periodically reviews any other areas it believes might impact the success of the Affirmative Action Program to determine whether impediments to equal employment opportunity appear to exist. It has also reviewed its achievement of goals established in the prior year's Affirmative Action Plan. That review is provided as Appendix H.

## 9. ACTION-ORIENTED PROGRAMS

[41 C.F.R. § 60-2.17(c)]

The Establishment has developed and will execute action-oriented programs designed to correct any focus areas identified in Section 8 of this Affirmative Action Program.

When reviewing these programs, the Establishment ensured that they did not produce inadequate results. The action-oriented programs designed to address focus areas involving minority and female utilization and distribution [41 C.F.R. § 60-2.17(b)(1)], personnel activity [41 C.F.R. § 60-2.17(b)(2)], and goal achievement [41 C.F.R. § 60-2.17(b)(5)] will consist of the following:

### Recruiting

The Establishment uses some of the following means to enhance its minority/female applicant flow:

- Ø job service
- Ø agencies/community organizations
- Ø recruiting agencies
- Ø search firms
- Ø specialized diversity sources
- Ø job fairs
- Ø advertising
- Ø employee referral
- Ø college recruiting
- Ø web site

Documentation regarding recruiting sources is provided in Appendix I.

### Career Development

The Establishment uses some of the following programs to provide opportunities for the advancement of minorities and females:

- Ø performance evaluation
- Ø job posting
- Ø on-the-job training
- Ø external training
- Ø coaching



## **10. INTERNAL AUDIT & REPORTING SYSTEM**

[41 C.F.R. § 60-2.17(d)]

The Establishment and the Corporate Compliance Department has developed and implemented auditing and reporting systems that measure the effectiveness of its total affirmative action program. These include the following key actions:

- monitoring progress toward affirmative action goals;
- monitoring records of all personnel activity including hiring, promotions, terminations and compensation at all levels;
- monitoring records pertaining to other selection procedures, including referrals, placements and transfers;
- conducting internal reviews on the degree to which equal employment opportunity and organizational objectives have been attained;
- reviewing results with management;
- advising top management of the affirmative action program's effectiveness; and
- recommending to top management methods to improve affirmative action performance.

The Establishment's EEO/AAP Coordinator is responsible for executing these internal audit and reporting responsibilities.